

**MINUTES OF THE  
EXECUTIVE OFFICES & CRIMINAL JUSTICE  
JOINT APPROPRIATIONS SUBCOMMITTEE  
ROOM W015, WEST OFFICE BUILDING, STATE CAPITOL COMPLEX  
January 25, 2007**

**Members Present:** Sen. Michael G. Waddoups, Co-Chair  
Rep. Eric K. Hutchings, Co-Chair  
Sen. Scott D. McCoy  
Rep. Douglas C. Aagard  
Rep. Keith Grover  
Rep. Christopher N. Herrod  
Rep. Brad King  
Rep. Curtis Oda  
Rep. Jennifer M. Seelig

**Members Absent:** Sen. Curtis S. Bramble

**Staff Present:** Gary Ricks, Fiscal Analyst  
Derek Byrne, Fiscal Analyst  
Carrie Griffith, Committee Secretary

**Note:** A list of visitors and a copy of handouts are filed with the committee minutes.

Rep. Hutchings called the meeting to order at 2:22 p.m.

**MOTION:** Rep. Oda moved to approve the minutes of the January 17, 2007 meeting. The motion passed unanimously.

Rep. Hutchings relinquished the chair to Sen. Waddoups.

**Voting/Review Division of Juvenile Justice Services (DJJS)**

**MOTION:** Rep. Aagard moved to approve the base budget of \$99,738,100. The motion passed unanimously.

**MOTION:** Rep. Aagard moved to approve \$1,666,200 in ongoing general funds to replace Lost Targeted Case Management funds. The motion passed unanimously.

**MOTION:** Rep. Aagard moved to approve \$1,320,200 in ongoing general funds to replace funding from the Victim Restitution Account and to add an additional \$500,000 in one-time funding. The motion passed unanimously.

**MOTION:** Sen. McCoy moved to transfer \$28,100 from DJJS to the Division of Child and

Family Services. The motion passed unanimously.

Derek Byrne, Fiscal Analyst, explained the above motion to the committee.

MOTION: Rep. King moved to approve non-lapsing intent language as follows:

*"It is the intent of the Legislature that the funds for the DJJS Programs and Operations line item shall not lapse."*

The motion passed unanimously.

Dan Maldonado, Director, distributed several handouts. In the meeting of February 24, 2007, there were several requests from committee members for more information regarding FTEs, locations and addresses of programs, conviction history of juveniles, and the location of work sites the Youth Center requires juveniles to perform services. The handouts were explained by Mr. Maldonado to help answer the above questions.

Questions were raised by committee members regarding performance measures and recidivism rates of private contractors for the Department. Concern was expressed that some of the providers didn't know where they stand because they have not received responses from the administration. Mr. Maldonado responded to these questions and concerns.

Sen. Waddoups expressed appreciation to Mr. Maldonado and the Division for their responsiveness.

### **Office of the Attorney General**

Gary Ricks, Fiscal Analyst, reviewed the Attorney General's Budget Brief. A handout detailing Performance Measures was also discussed by Mr. Ricks.

Kirk Torgensen, Deputy, answered questions regarding the lease of the Murray Facility, which will expire in June 2007.

Mark Shurtleff, Attorney General, accompanied by Werner Haidenthaller, Office Administrator, addressed the committee. Mr. Shurtleff explained the duties and responsibilities of the Office of the Attorney General. Handouts were distributed and discussed with the committee regarding Building Block and Supplemental Requests, Salary Equity Adjustments for Attorneys, Salary Equity Adjustments for Investigators, and David C. litigation. Mr. Ricks and Mr. Shurtleff responded to questions raised by committee members relating to the David C. litigation.

Mr. Shurtleff and Mr. Haidenthaller explained the remaining handouts. An in-depth discussion

ensued regarding Child Protection Loss of Federal Match and Workload Increases, Pelt v. State of Utah Defense, UCAT Attorney, Criminal Appeals Workload Increase, Criminal Non-Support Prosecution, HR/CSRB State Defense, Transfer of Insurance Attorney, Tobacco Settlement Cases and College Drive Lease Renewal.

**MOTION:** Rep. Herrod moved that the following items be added to a Restricted Funds List for Executive Appropriations to review: DCFS loss of Federal match, \$875,000 ongoing; Pelt v. State of Utah defense, \$322,600 ongoing; HR/CSRB State defense, 480,700 ongoing; Pelt v. State of Utah, \$610,400 one-time; DCFS loss of Federal match, \$875,000 one-time; David C. Litigation, \$200,000 one-time; HR/CSRB Legal support, \$424,600 one-time; outside counsel Brett Hatch, \$200,000 one-time. The motion passed unanimously with Sen. McCoy absent for the vote.

Mr. Shurtleff asked that \$200,000 be added to the above motion for hiring Brett Hatch, outside counsel, as an attorney to help with child porn.

**MOTION:** Rep. Herrod moved to add to the Restricted Funds List Tobacco Settlement cases, \$176,900 ongoing and \$176,900 one-time. The motion passed unanimously with Sen. McCoy absent for the vote.

### **Guardian ad Litem Budget Review**

Derek Byrne, Fiscal Analyst, reviewed the Guardian ad Litem budget brief and requests the Analysts have recommended.

Kristin Brewer, Director, accompanied by Rick Smith, Attorney, addressed the committee. Mr. Smith explained the duties and responsibilities of the Agency. Questions were raised by committee members concerning referrals, caseloads, and the CASA program. Mr. Smith and Ms. Brewer responded to these questions.

Debra Moore, Attorney, addressed the committee. A handout regarding budget requests was distributed to committee members and explained by Ms. Moore. Ms. Moore responded to questions raised by committee members regarding what has been done in response to audit recommendations.

The Agency was asked to provide a list of the members of their committee by the next meeting to be held on January 29, 2007. They were also asked to provide information on case management data base, statistics on court time per case, and ways G.A.L. has been successful.

Dan Becker, State Court Administrator, stated the Judicial Council is in complete support of the Guardian ad Litem request. He commended the Oversight Committee, noting they meet on a monthly basis for several hours and give a lot of time and expertise to this program.

**Other Business**

Rep. Larry Wiley, accompanied by Dane Wood, Special Agent National Insurance Crime Bureau, addressed the committee. Mr. Wood explained the background of the Bureau and described some new technology the Bureau is using to help thwart theft and fraud--the License Plate Reader Vehicle. One of these vehicles was brought outside the west doors of the committee room at 5:15 p.m. for anyone who wanted to see how it worked.

MOTION: Rep. Aagard moved to adjourn. The motion passed unanimously.

Rep. Hutchings adjourned the meeting at 5:05 p.m.

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Sen. Michael G. Waddoups, Co-Chair

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Rep. Eric K. Hutchings, Co-Chair

